

**BEFORE THE
STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

In the Matter of:)	Docket 03-CRS-01
Proposed Rulemaking Pertaining to)	
Data Collection for Qualified Departing)	
Load CRS Exemptions)	
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**COMMENTS OF THE ENERGY PRODUCERS AND
USERS COALITION ON PROPOSED APPLICATION FORM**

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Coalition

November 26, 2003

**BEFORE THE
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**COMMENTS OF THE ENERGY PRODUCERS AND
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Pursuant to the California Energy Commission (Commission) directive in the cover e-mail, the Energy Producers and Users Coalition (EPUC)¹ submits these comments on the Application for Customer Generation Cost Responsibility Surcharge Tariff Exemption ("Proposed Form") distributed on November 10, 2003. EPUC appreciates the clear and thoughtful effort put forth by the Commission in creating the Proposed Form. Attachment A shows the suggested clarifications and changes to the Proposed Form discussed below.

1. The Proposed Form should clarify that "Existing" Departing Load customers do not need to apply for exemption. (Part 1.B. Guidelines and Steps for Processing.)

"Existing" Departing Load is load that began receiving service from customer generation on or before February 1, 2001. (See D.03-04-030 Ordering Paragraph 4.) This category of Departing Load is automatically exempt from both the Department of Water Resources (DWR) Bond Charge and the DWR

¹ EPUC is an ad hoc group representing the electric end use and customer generation interests of the following companies: Aera Energy LLC, BP America Inc. (including Atlantic Richfield Company), Chevron U.S.A. Inc., Shell Oil Products US, Exxon Mobil Corporation, THUMS Long Beach Company, Occidental Elk Hills, Inc., and Valero Refining Company – California.

Power Charge; nor does it fall into the statewide Megawatt (MW) Cap. (*Id.*) It would be both administratively burdensome and a needless expenditure of scarce Commission resources for the Commission to process applications from this category of Departing Load when the exemption is automatic and does not impact the Commission's management of the statewide MW Cap. The Commission should make clear that this "Existing" Departing Load does not need to apply for an exemption. Addition of the phrase, "*except those customers who began to receive service from customer generation on or before February 1, 2001,*" to the first sentence of the second paragraph of Part 1.B. would accomplish this.

2. The Commission should include all qualifying criteria for meeting the applicable requirements for an exemption from DWR Power Charges in Part 4. (Part 4 Applicability of Qualifying Criteria)

D.03-04-030 (DL Decision) provides that, in order to qualify for an exemption from DWR Power Charges, Departing Load must (a) rely on technology other than diesel-fired generation, (b) be used for purposes other than back-up generation, and (c), as permitted, meet the appropriate requirements, either California Air Resources or local air quality management districts, for best available control technology. (See DL Decision, *mimeo*, at 51.) The regulations also adopt these global qualifying criteria. (See 20 CCR § 1395.3(d)(2).) In fact, for some Departing Load, these are the only applicable qualifying criteria. (See DL Decision, *mimeo*, at 51; see *also* 20 CCR § 1395.3(d)(2).) Not including these qualifying criteria would risk excluding a significant portion of Customer Generation Departing Load. Part 4 of the

Proposed Form should include these global qualifying criteria. Addition of the following question, *“Will the Generating Facility (a) rely on technology other than diesel-fired generation, (b) be used for purposes other than back-up generation, and (c), as permitted, meet the requirements for best available control technology set by local air quality management districts and/or the California Air Resources Board, as applicable?”* would accomplish this.

3. The Commission should conform the definition of “Departing Load” to the definition adopted by the Commission regulations and in the DL Decision. (Page 12 Glossary)

Attachment 1 - Glossary of the Proposed Form offers a definition for “Departing Load” for *“informational purposes only.”* This definition differs from the definition used in the adopted Commission regulations and the DL Decision.

The Glossary defines Departing Load as follows:

A customer that switches and/or replaces all or part of its load to another distribution source such as self-generation, cogeneration, an irrigation district or municipality.

The adopted regulations and the DL Decision define Departing Load as follows:

that portion of the utility customer’s electric load for which the customer: (a) discontinues or reduces its purchase of bundled or direct access service from the utility; (b) purchases or consumes electricity supplied and delivered by “Customer Generation” to replace the utility or Direct Access (DA) purchases; and (c) remains physically located at the same location or elsewhere within the utility’s service territory as of April 3, 2003.

This definition of departing load does not include, nor would any CRS charges ... apply to:

- Changes in usage occurring in the normal course of business resulting from changes in business cycles, termination of operations, departure from the utility service territory, weather, reduced production, modifications to production equipment or operations, changes in production or manufacturing processes, fuel switching, enhancement or*

increased efficiency of equipment or performance of existing Customer Generation equipment, replacement of existing Customer Generation equipment with new power generation equipment of similar size, installation of demand-side management equipment or facilities, energy conservation efforts, or other similar factors.

- *New customer load or incremental load of an existing customer where the load is being met through a direct transaction with Customer Generation and the transaction does not otherwise require the use of transmission or distribution facilities owned by the utility.*

- *Load temporarily taking service from a back-up generation unit during emergency conditions called by the utility, the California Independent System Operator, or any successor system operator.*

DL Decision, *mimeo*, at 3; see also 20 CCR § 1395.1(m).

The proposed definition does not comport with the definition in the adopted regulations and DL Decision. The proposed definition includes irrigation districts and municipalities. The DL Decision and adopted regulations clearly exclude these types of departing load from Customer Generation Departing Load. (See DL Decision, *mimeo*, at 3; see also 20 CCR § 1395.1(m).) The proposed definition also omits a list of exceptions to the definition for (1) changes in the normal course of business, (2) new customer load or incremental customer load, and (3) load temporarily taking service from back-up generation. (See DL Decision, *mimeo*, at 3.) These exceptions are not treated as Departing Load, no CRS applies and thus no CRS exemption is required. The Commission has clarified in its regulations that these categorical exclusions will likewise not be treated as Departing Load, and thus require no CRS exemption. The Commission should similarly make this clear in its Proposed Form and conform the Departing Load definition to the definition adopted in its regulations and the DL Decision.

4. The Commission should conform to the FERC standard and use lower heating value for the efficiency calculation in Part 6. (Part 6 Declaration in Support of Claim of CTC Exemption Under PUC § 372)

Part 6 of the Proposed Form provides equations for a yearly efficiency calculation to support claims for the statutory cogeneration CTC exemption. The fuel input in the Proposed Form's calculation is based on a higher heating value. Federal Energy Regulatory Commission (FERC) regulations make clear that the appropriate value for fuel input in such calculations is the **lower** heating value. (See 18 CFR 292.202(m) ("*energy input ... is to be measured by the **lower** heating value of the natural gas or oil*") (emphasis added).) The use of higher heating value may result in an inappropriate measurement of efficiency. The Commission should amend Part 6 to use the lower heating value to conform to the FERC standard.

5. The Commission should remove unnecessary definitions from the glossary and conform the Proposed Form's title to the regulations.

The Glossary includes definitions for terms not used in or required by the Proposed Form: Exemptions from CTCs and Net Generation Metering. These unnecessary definitions should be stricken.

EPUC has also suggested additional minor, clarifying edits to the Proposed Form which are not substantive in nature; these minor edits are highlighted in Attachment A.

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EPUC appreciates the opportunity to provide these comments.

DATED: November 26, 2003

Respectfully submitted,

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Counsel to the Energy Producers and
Users Coalition

ATTACHMENT A

**APPLICATION FOR CUSTOMER GENERATION
COST RESPONSIBILITY SURCHARGE TARIFF EXEMPTION
Draft Final 11/10/03**

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Part 1 –Introduction and Overview

- A. Applicability:** This Application for Customer Generation Cost Responsibility Surcharge (CRS) Tariff Exemptions (Application) is for the purpose of requesting an exemption from various nonbypassable charges related to Customer Generating Facilities used to replace or supplement electric utility service. It may be used to request exemption from certain nonbypassable charges and requirements under Utility tariff schedules.

Capitalized terms used in this Application, and not otherwise defined herein, shall have the same meanings as defined in Utility's Rules 1 and 21. This Application may be used for any Generating Facility operated by or for a Customer to serve all or a portion of the Customer's electric service requirements that would otherwise be served by the Utility. Such Generating Facilities are sometimes referred to as "customer" generation or "distributed" generation.

- B. Guidelines and Steps for Processing:** This Application must be completed and sent to the Utility to initiate the Utility's review and determination of tariff exemption eligibility for the proposed Generating Facility and for the California Energy Commission (CEC) to execute its responsibilities with regard to managing the statewide Megawatt (MW) Cap, currently set at 3,000 MW. The Utility will first make a provisional determination as to whether the Generating Facility qualifies for available exemptions. Final categorization and notice will be made only after the Utility and the CEC confirm that the installation qualifies for the exemption.

All customers, except those customers who began to receive service from customer generation on or before February 1, 2001, seeking an exemption from the Cost Responsibility Surcharge, as determined in California Public Utilities Commission (CPUC) Decision 03-04-030, for customer generation departing load, must complete and submit this Application to both the Utility and the CEC. Information provided to the Utility on this Application will be shared with both the CEC and the CPUC.

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This Application supplements, and does not replace, the Utility's application to interconnect a Generating Facility. Separate interconnection applications are available and are required to be completed to request the interconnection of a Generating Facility. Other approvals may also need to be acquired and/or other agreements may need to be formed with the Utility and various governmental regulatory agencies, such as the air quality management districts and local governmental building and planning departments prior to operating a Generating Facility.

- C. Glossary:** A glossary of commonly used terms found throughout this Application is contained in Attachment I. Where applicable, the source is provided for a more complete definition of the term.
- D. Mailing Instructions, Assistance:** When this Application has been completed it must be printed and mailed, along with the required attachments to the Utility and to the CEC at the address below.

California Energy Commission
1516 9th Street, MS-32
Sacramento, CA 95814

Electric Utility (SCE/PG&E/SDG&E)
Utility Address
Utility City, Zip Code

Questions concerning the completion of this form or the use of the information requested may be directed to the Utility.

- E. Approval and Categorization:** Within 10 calendar days of receipt of the completed Application, the Utility will notify you in writing of the following:

- Provisional Categorization of the Generating Facility.
- Conditions that must be met before Final Categorization will be granted.
- A description of the Cost Responsibility Surcharge (CRS) the Customer will be exempt or not exempt from paying.

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Should you disagree with the Utility's Provisional Categorization, please contact the CEC.

Part 2 – Generating Facility Location and Responsible Parties

Facility Name:

Date Received:

Utility Reference Number:

(For Utility Use Only)

A. Host Customer Facility Information (Where will the Generating Facility be installed?)

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Name shown on Utility electric bill

Electric Service Account No.

Meter Number

NOTE: Please submit a copy of the host Customer facility's electric service bill.

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Service Address shown on electric bill

City

State

Zip

B. Host Customer Contact Information (Customer to receive the tariff exemption)

--	--

Contact Person

Company Name

--	--	--

Phone

Fax

Email

--	--	--	--

Mailing Address

City

State

Zip

C. Applicant Contact Information (If not the Host Customer)

--	--

Individual's Name

Title (Position)

--	--	--

Phone

Fax

Email

--	--	--	--

Mailing Address

City

State

Zip

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Part 3 – Description of Generating Facility

Nameplate (kW) – Total Gross Nameplate Rating of Generating Facility	Net Output (kW) – Total Estimated Maximum Customer Demand served by Generating Facility, if other than Total Gross Nameplate Rating	Net Output (Estimated Annual kWh)
--	---	--------------------------------------

Generator No. 1 (Use additional sheets if necessary)

A. Equipment Description

Manufacturer	Model
Nameplate Rating (kW)	Net Output Rating (kW)
Number of Generators of this type	

B. Operational Date

Actual (already in operation)	Estimated

C. Prime Mover Type

D. Fuel Type

Select from list below.	Select from list below.

Prime Mover Types

1. Internal combustion reciprocating engine
2. Gas micro-turbine
3. Gas turbine
4. Photovoltaic (Solar)
5. Fuel Cell
6. Wind turbine
7. Hydro turbine
8. Other (please specify)

Fuel Types

1. Natural Gas
2. Landfill Methane
3. Digester Methane
4. Diesel
5. Other (please specify)
6. Not Applicable

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Part 3 – Description of Generating Facility (continued)

Generator No. 2 (Use additional sheets if necessary)

Equipment Description

Manufacturer	Model
Nameplate Rating (kW)	Net Output Rating (kW)
Number of Generators of this type	

B. Operational Date

Actual (already in operation)	Estimated

C. Prime Mover Type

D. Fuel Type

Select from list below.	Select from list below.

Prime Mover Types

1. Internal combustion reciprocating engine
2. Gas micro-turbine
3. Gas turbine
4. Photovoltaic (Solar)
5. Fuel Cell
6. Wind turbine
7. Hydro turbine
8. Other (please specify)

Fuel Types

1. Natural Gas
2. Landfill Methane
3. Digester Methane
4. Diesel
5. Other (please specify)
6. Not Applicable

Generator No. 3 (Use additional sheets if necessary)

A. Equipment Description

Manufacturer	Model
Nameplate Rating (kW)	Net Output Rating (kW)
Number of Generators of this type	

B. Operational Date

Actual (already in operation)	Estimated

C. Prime Mover Type

D. Fuel Type

Select from list below.	Select from list below.

Prime Mover Types

1. Internal combustion reciprocating engine
2. Gas micro-turbine
3. Gas turbine
4. Photovoltaic (Solar)
5. Fuel Cell
6. Wind turbine
7. Hydro turbine

Fuel Types

1. Natural Gas
2. Landfill Methane
3. Digester Methane
4. Diesel
5. Other (please specify)
6. Not Applicable

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Other (please specify)

Part 4 - Applicability of Qualifying Criteria

Indicate if the Generating Facility meets any of the following criteria:

1. Will the Generating Facility serve a campus of the University of California or California State University system?

☐ **Yes**

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

2. Will the entire Generating Facility be operated under the Utility's "Net Energy Metering" tariff?

☐ **Yes** - Attach a copy of the application for interconnection and service under Schedule X-XXX that you received from the Utility.

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

3. Will the Generating Facility be operated under the Utility's "Biogas Net Energy Metering" tariff?

☐ **Yes** - Attach a copy of the application for interconnection and service under Schedule X-XXX that you received from the Utility.

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

4. Will the Generating Facility be under 1 MW in size and eligible for financial incentives from either the Self-Generation Incentive Program (SGIP) or a CEC incentive program?

☐ **Yes** - Attach a copy of the "Reservation Confirmation Incentive Claim Form" that you received from the Utility or attach a copy of the CEC incentive documentation you received from the CEC.

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

5. Will the Generating Facility meet the requirements for an **Ultra-Clean and Low-Emissions facility** as defined in Public Utilities Code Section 353.2?

☐ **Yes** - Attach CARB certification documentation and complete **Part 5**.

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

6. Will the Generating Facility be operated in a "Combined Heat and Power Application", meeting the efficiency requirements for "Cogeneration" in Section 218.5 of the Public Utilities Code?

☐ **Yes** - Complete **Part 6**.

☐ **No**

Applicable to Generator ☐ 1, ☐ 2, ☐ 3 (check all that apply).

7. Will the Generating Facility (a) rely on technology other than diesel-fired generation, (b) be used for purposes other than back-up generation, and (c) as permitted, meet the requirements for best available control technology set by local air quality management districts and/or the California Air Resources Board, as applicable?

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Yes

No

Applicable to Generator 1, 2, 3 (check all that apply).

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**Note: This Generating Facility may be monitored for ongoing compliance pursuant to Public Resources Code Section 1395.4. If conditions change in the operation of this Generating Facility, such as changes in Net Output, and/or generation capability, it is the responsibility of the Customer to immediately notify both the Utility and the CEC of such changes.*



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COST RESPONSIBILITY SURCHARGE TARIFF EXEMPTION
Draft Final 11/10/03

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**Part 5 – Declaration in Support of Claim of DWR Power Charge Exemption
Under Public Utilities Code Section 353.2**

This Declaration documents assertions by _____ (“Customer”) that the Generating Facility qualifies for an exemption as an Ultra-Clean and Low-Emissions facility from the Department of Water Resources (DWR) Power Charge pursuant to Decision 03-04-030 as authorized by Public Utilities Code Section 353.2. Customer understands that the information provided below has a direct and material bearing on meeting legal requirements for the DWR Power Charge exemption. Customer agrees to inform the Utility at the address specified below within 30 days should any of the information contained herein become outdated or inaccurate at any time during the Generating Facility's operation.

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Exemption Qualifications (check all that apply)

- _____ The Customer owns and/or operates a Generating Facility that commenced initial operation between January 1, 2003 and December 31, 2008.
- _____ The Generating Facility has been certified by the California Air Resources Board (CARB) as “Ultra Clean and Low-Emissions” (PUC Section 353.2). **CARB certification documentation is attached.**
- _____ The Generating Facility, described in more detail in Part 3 of this Application, produces zero emissions during its operation.
- _____ The Generating Facility, described in more detail in Part 3 of this Application, produces emissions during its operation that are equal to or less than the 2007 CARB emission limits for distributed generation, except that technologies operating by combustion must operate in a combined heat and power application with a 60-percent system efficiency or on a **higher** heating value. Calculation of generation efficiency is provided below.



**APPLICATION FOR CUSTOMER GENERATION
COST RESPONSIBILITY SURCHARGE TARIFF EXEMPTION
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**Part 5 – Declaration in Support of Claim of DWR Power Charge Exemption
Under Public Utilities Code Section 353.2 (continued)**

Calculations

Completion of this section is required unless CARB Certification is included as part of this application. Use calculation format below or attach separate calculations concerning expected calendar year operations. Calculations must be consistent with Public Utilities Code Section 353.2.

Efficiency Standard Formula:

$$\frac{\text{Electric Output (Btu)} + \text{Useful Thermal Output (Btu)}}{\text{Fuel Input (Btu)}} \times 100\% \geq 60\%$$

Total Generating Facility
Annual Operation [AO] _____ hr/yr

Gross Generating Facility Nameplate: _____ kW
- Parasitic Losses: _____ kW
= Net Generating Facility _____ kW
x 3413 Btu / hr / kW
= Net Electric Output _____ Btu/hr
x [AO]
= Total Net Electric Output [TNEO] _____ Btu/yr

Generating Facility Thermal Output _____ Btu/hr
- Adj. For Wasted Thermal _____ Btu/hr
= Net Useful Thermal _____ Btu/hr
x [AO]
= Total Net Useful Thermal [TNUT] _____ Btu/yr

Fuel Input [HHV] _____ Btu/hr
x [AO]
= Total Fuel Input [TFI] _____ Btu/yr

$$\frac{(\text{TNEO}) + (\text{TNUT})}{(\text{TFI})} \times 100\% \geq 60\%$$

This calculation prepared by _____ (name),
_____ (Company),
_____ (telephone), on _____ (date)



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**Part 5– Declaration in Support of Claim of DWR Power Charge Exemption
Under Public Utilities Code Section 353.2 (continued)**

Utility Notification Address

All changes to this Declaration must be communicated in writing to the Utility at the address below.

Electric Utility (SCE/PG&E/SDG&E)
Utility Address
Utility City, Zip Code

I, _____ declare under penalty of perjury under the laws of
(please print)
the State of California that all the information provided above and in this Application is true
and correct.

_____ (Signature)

_____ (Title)

_____ (Company)

_____ (Date)



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**Part 6 – Declaration in Support of Claim of Competition Transition Charge
Exemption Under Public Utilities Code Section 372**

This Declaration documents assertions by _____ (“Customer”) that the Generating Facility qualifies for an exemption from the Competition Transition Charge (“CTC”) as authorized by Public Utilities Code Section 372. Customer understands that the information provided below has a direct and material bearing on meeting legal requirements for the CTC exemption as set forth in Sections 218, 218.5, and 372 of the Public Utilities Code. Customer agrees to inform the Utility at the address specified below within 30 days should any of the information contained herein become outdated or inaccurate at any time during the Generating Facility’s operation.

Exemption Qualifications (all must apply)

- The Generating Facility, described in more detail in Part 3 of this Application, is statutorily exempt under Public Utilities Code Section 372.
- The Generating Facility, described in more detail in Part 3 of this Application, meets annual Cogeneration operating and efficiency standards (Standards) as required under Public Utilities Code Section 218.5. Calculation of the Standards is provided below.
- Delivery of electric energy to all load is/will be consistent with the requirements set forth in Public Utilities Code Section 218 for exclusion of the Generating Facility from being defined as an “electric corporation.”
- The Generating Facility is non-mobile.

Calculations

Completion of this section is required unless documentation is included as part of this Application. Use the calculation format below or attach separate calculations concerning expected calendar year operations. Both calculations, based on a lower heating value basis, must be consistent with Public Utilities Code Section 218.5 and both calculations must be met to qualify for this exemption.

Efficiency Standard Formula:

$$\frac{\text{Electric Output (Btu)} + \frac{1}{2} \text{ Useful Thermal Output (Btu)}}{\text{Fuel Input (Btu)}} \times 100\% \geq 42.5\%$$

Operating Standard Formula:

$$\frac{\text{Useful Thermal Output (Btu)}}{\text{Useful Thermal Output (Btu)} + \text{Net Electric Output (Btu)}} \times 100\% \geq 5\%$$

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**Part 6 – Declaration in Support of Claim of Competition Transition Charge
Exemption Under Public Utilities Code Section 372 (continued)**

Total Generating Facility
Annual Operation [AO] _____ hr/yr

Gross Generating Facility Nameplate: _____ kW
- Parasitic Losses: _____ kW
= Net Generating Facility _____ kW
x 3413 Btu / hr / kW
= Net Electric Output _____ Btu/hr
x [AO]
= Total Net Electric Output [TNEO] _____ Btu/yr

Generating Facility Thermal Output _____ Btu/hr
- Adj. For Wasted Thermal _____ Btu/hr
= Net Useful Thermal _____ Btu/hr
x [AO]
= Total Net Useful Thermal [TNUT] _____ Btu/hr

Fuel Input [LHV] _____ Btu/hr
x [AO]
= Total Fuel Input [TFI] _____ Btu/yr

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$$\frac{(\text{TNEO}) + \frac{1}{2}(\text{TNUT})}{(\text{TFI})} \times 100\% \geq 42.5\%$$

$$\frac{(\text{TNUT})}{(\text{TNUT}) + (\text{TNEO})} \times 100\% \geq 5\%$$

These calculations prepared by _____ (name),
_____(Company),
_____(telephone), on _____ (date).



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**Part 6 – Declaration in Support of Claim of Competition Transition Charge
Exemption Under Public Utilities Code Section 372 (continued)**

Utility Notification Address

All changes to this Declaration must be communicated in writing to the Utility at the address below.

Electric Utility (SCE/PG&E/SDG&E)
Utility Address
Utility City, Zip Code

I, _____ declare under penalty of perjury under the laws of
(please print)
the State of California that all the information provided above and in this Application is true
and correct.

_____ (Signature)

_____ (Title)

_____ (Company)

_____ (Date)



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ATTACHMENT I – Glossary

Note: The following is provided for informational purposes only. Legal descriptions and definitions are governed by CEC Regulations (Public Resources Code Section 1395), CPUC Code, and CPUC Decisions.

CEC	California Energy Commission
CPUC	California Public Utilities Commission
Cost Responsibility Surcharge or CRS	Energy cost obligations consistent with CPUC Decision 03-04-030 and subsequent CPUC decisions. CRS Charges may include the Historical Procurement Charge (SCE customers only), DWR Bond Charge, the DWR Power Charge, and applicable CTC Charges.
Competition Transition Charge or CTC	Generally, those costs that cover the Utilities generation-related infrastructure investments and power purchases (QF) payments that are not competitive after restructuring.
Departing Load or DL	<p><u>Those portions of the utility customer's electric load for which the customer:</u> <u>discontinues or reduces its purchase of bundled or direct access service from the utility, purchases or consumes electricity supplied and delivered by Customer Generation to replace the utility or direct access purchases, and remains physically located at the same location or elsewhere within the utility's service territory as of April 3, 2003. This definition of departing load does not include, nor do any CRS charges apply to:</u></p> <ul style="list-style-type: none"> <u>• Changes in usage occurring in the normal course of business resulting from changes in business cycles, termination of operations, departure from the utility service territory, weather, reduced production, modifications to production equipment or operations, changes in production or manufacturing processes, fuel switching, enhancement or increased efficiency of equipment or performance of existing Customer Generation equipment, replacement of existing Customer Generation equipment with new power generation equipment of similar size, installation of demand-side management equipment or facilities, energy conservation efforts, or other similar factors.</u> <u>• New customer load or incremental load of an existing customer where the load is being met through a direct transaction with Customer Generation and the transaction does not otherwise requirement the use of transmission or distribution facilities owned by the utility.</u> <u>• Load temporarily taking service from a back-up generation unit during emergency conditions called by the utility, the California Independent System Operator, or any successor system operator.</u>
DWR	California Department of Water Resources.
DWR Bond Charge	The charge implemented by the CPUC to recover past DWR costs from Utility bundled ratepayers "Bond Related Costs" as defined in CPUC Decision 02-02-051.
DWR Power Charge	The charge implemented by the Commission to recover from the Utility bundled ratepayers DWR's current, going forward costs.
Final Categorization	A point at which the CEC determines whether an application meets all conditions to be eligible for an applicable CRS exemption.
Interconnection; (Interconnected)	Connection to and parallel operation with the utility's distribution system for 60 cycles or more.
Provisional Categorization	The first step in determining whether or not a Generating Facility appears to qualify for certain exemptions. Once the Utility grants Provisional Categorization, the CEC will review and make a Final Categorization.

Deleted: A customer that switches and/or replaces all or part of its load to another distribution source such as self-generation, cogeneration, an irrigation district or municipality. (Elect. Preliminary Statement BB.)

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**APPLICATION FOR CUSTOMER GENERATION
COST RESPONSIBILITY SURCHARGE TARIFF EXEMPTION**

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Draft Final 11/10/03

Rule 21

Rule describing the interconnection, operating and metering requirements for Generating Facilities intending to connect to the Utility's distribution system, under CPUC jurisdiction.

Section 218.5 of Public Utilities Code

Defines cogeneration as follows: (a) at least 5 percent of the Generating Facility's annual energy output shall be in the form of useful thermal energy; (b) where useful thermal energy follows power production, the useful annual power output plus one-half the useful annual thermal energy output equals not less than 42.5 percent of any natural gas or oil energy input.

***Self-Generation Incentive Program
or SGIP***

CPUC Program providing financial incentives for the installation of new, qualifying equipment installed to meet all or a portion of electrical needs of a facility.



Page 13: [1] Deleted <i>Exemptions from CTCs</i>	AKLAW When used in reference to departed load, that portion of customer load served through a direct transaction that does not require the use of Utility's transmission or distribution facilities. Any party claiming an exemption from transition charges (CTCs) under this provision shall demonstrate through a physical test, the ability to start and fully operate on an ongoing basis without the use or requirement of Utility's T&D system (black start).	11/17/2003 11:20 AM
Page 13: [2] Deleted <i>Net Generation Metering</i>	AKLAW The metering of the net electrical energy output in kW and kWh from a given Generating Facility. This may also be the measurement of the difference between the total electrical energy produced by a Generating Facility and the electrical energy consumed by the auxiliary equipment necessary to operate the Generating Facility, also referred to as the station or parasitic load.	11/17/2003 1:48 PM